

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Ichiro MASAKI et al.

GROUP: 2615

APPLICATION: 10/752,845

EXAMINER: Y. Aggarwal

FILED: January 4, 2002

CONFIRMATION: 4792

**FOR: ADAPTIVE SENSITIVITY CONTROL, ON A PIXEL-BY-PIXEL BASIS, FOR
A DIGITAL IMAGER**

Box: Petitions

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

**PETITION TO REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION
UNDER 37 C.F.R. 1.137(b)**

The Applicant respectfully requests the Honorable Commissioner to grant this Petition under 37 C.F.R. 1.137(b) and revive the unintentional abandoned above-identified application in view of the facts and reasons set forth below.

Statement of Facts

1. On May 11, 2006, the US Patent Office issued a Notice of Non-Compliant in connection with the above-identified application.
2. The undersigned immediately forwarded the Notice of Non-Compliance to Cypress Semiconductor Corporation because Cypress Semiconductor Corporation had purchased the invention rights in above-identified application and had indicated to the undersigned that the undersigned would no longer be responsible for prosecuting this application. Cypress Semiconductor Corporation failed to revoke the Power of Attorney for the undersigned.
3. In the Spring of 2007, Sensata Technologies purchased the invention rights in above-identified application from Cypress Semiconductor Corporation.
4. In April of 2007, Sensata Technologies contacted the undersigned about resuming the prosecution of the above-identified application.
5. On April 27, 2007, the US Patent Office issued a Notice of Abandonment in connection with the above-identified application.
6. Subsequent to April 27, 2007, the undersigned contacted Sensata Technologies regarding the Notice of Abandonment. Sensata Technologies indicated that the abandonment was not intentional and desired to revive the above-identified application.
7. Subsequent to the discussion described in paragraph 4, Sensata Technologies revoked the Power of Attorney for the undersigned, thus the undersigned did not proceed with preparing a petition to revive the above-identified application because the undersigned assumed that the revocation indicated that Sensata Technologies was going to handle the preparing of a petition to revive the above-identified application. Notwithstanding the revocation of Power of

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Attorney for the undersigned, Sensata Technologies had assumed that the undersigned was proceeding with the preparation of a petition to revive the above-identified application.

8. On October 17, 2007, during a routine review of pending cases, using the PAIRS system, Sensata Technologies discovered that a petition to revive the above-identified application was never prepared and contacted the undersigned.

REMARKS

The above-identified application has been unintentionally abandoned. The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional.

Formal Response

A Response to the Notice of Non-Compliant, dated May 11, 2006, has been attached hereto. The Honorable Commissioner is respectfully requested to accept the attached Response to the Notice of Non-Compliant to satisfy the requirements of 37 C.F.R. 1.137(b).

Failing to Response to the Notice of Non-Compliant of May 11, 2006

As presented above, the above-identified application had recently changed ownership at the time the Notice of Non-Compliant was issued. Moreover, the above-identified application had just changed ownership again at the time the Notice of Abandonment was issued. It was due to the changes in ownership that inhibited a proper response to either the Notice of Non-Compliant or the Notice of Abandonment. Furthermore, the Assignees of the above-identified application did not desire for this case to be abandoned.

Therefore, the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. 1.137(b) was unintentional.

SUMMARY

The Assignees did not intend to abandon nor delay the prosecution of the above-identified application. The changes in ownership hindered the preparation and filing of a proper response to either the Notice of Non-Compliant or the Notice of Abandonment.

In conclusion, the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. 1.137(b) was unintentional.

The Honorable Commissioner is respectfully encouraged to contact the undersigned to discuss the circumstances warranting this Petition.

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Accordingly, in view of all the reasons set forth above, the Honorable Commissioner is respectfully requested to grant the Petition to Revive under 37 C.F.R. 1.137(b).

Respectfully submitted,



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MEC/MJN/mjn